

Remarks

In the Office action of February 10, 1994, Paper No. 12, claims 1-20 are pending of which claims 10, 11, and 19 were withdrawn from consideration, claims 12-15 were allowed, claims 1-9 were rejected, and claims 16-18 and 20 were objected to. Applicant's election with traverse of Group I in Paper No. 10 was acknowledged and made final. Claims 4-9, 16, and 20 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter sought to be patented. Claims 1-4 were rejected under 35 U.S.C. § 102(e) as being anticipated by the Lazarus reference. Claims 5-9 were rejected under 35 U.S.C. § 103 as being unpatentable over the Lazarus reference in view of the Hillstead reference. Claims 17 and 18 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 20 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112 and to include all of the limitations of the base claim and any intervening claims. Claim 16 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112 and to include all of the limitations of the base claim and any intervening claims. Claims 12-15 were allowable over the prior art of record.

By this amendment, claims 1, 4, 7-10, 12, 16, 17, 19 and 20 are being amended and claim 11 is being canceled to more particularly point out and distinctly claim the subject matter sought to be patented and to further distinguish the claims over the cited references. In particular, the prosthesis assembly including a bifurcated endovascular graft that was previously included in the preamble of independent claim 1 is being included in the main body of the claim. Also in claim 1, the first container means is being separated from the main container means. The main and first container means contain in a compressed state respective main and first spring assemblies of the bifurcated prosthesis. The main spring assembly included with the

bifurcated graft radially expands the main body of the graft to conform it on an interior wall on the main lumen of a bifurcated lumen. The first spring assembly radially expands a first limb of the graft to substantially conform it on the interior wall of a branch lumen of the bifurcated lumen. Claims 4, 7-10, 12, 16, 17, 19, and 20 have been amended to correct 35 U.S.C. § 112, second paragraph, problems noted by the Examiner and also discovered by the applicant. In view of the above, applicant requests that the rejection of claims 4, 7-9, 16, and 20, as amended herein, and claims 5 and 6 under 35 U.S.C. § 112, second paragraph, be withdrawn. Furthermore, applicant has further included a structural element in dependent claims 10 and 19, as amended herein, and it is requested that these claims now be considered.

Applicant's attorney wishes to thank Examiner Brittingham for the telephone interview of May 19, 1994, in which claims 1, 10, and 19 were specifically addressed. The Examiner indicated that the amendment to claims 1, 10, and 19 appeared to put them in a condition for allowance along with the remaining claims; however, the Examiner reserved the right to make such determination until the amended claims were officially submitted.

Applicant's invention, as previously suggested, is directed to a transluminal arrangement for positioning a prosthesis assembly at a particular position in a bifurcated lumen. The arrangement comprises main container means for containing in a compressed state a main spring assembly of the prosthesis assembly; first container means separated from the main container means for containing in a compressed state a first spring assembly of the prosthesis assembly; and retainer means positioned in a main and a first bore of a bifurcated endovascular graft of the prosthesis assembly for retaining the prosthesis assembly at the particular position in the bifurcated lumen while the main container means is withdrawn from the prosthesis assembly releasing the main spring assembly from the compressed state. The prosthesis assembly includes a bifurcated endovascular graft having a main body and first and second limbs extending therefrom. The main spring assembly radially expands

the main body of the graft to conform substantially the main body on an interior wall of the main lumen of the bifurcated lumen when the main spring assembly is released from a compressed state. The first spring assembly radially expands the first limb of the graft to conform substantially the first limb on an interior wall of a branch lumen of the bifurcated lumen when the first spring assembly is released from the compressed state.

The Lazarus reference is directed to an intraluminal grafting system and a method of implanting the same. The Lazarus reference is directed to a single lumen graft 12 having proximal anchoring element 16 and distal anchoring element 17 positioned proximate the proximal and distal ends of the graft, respectively. There is absolutely no disclosure, teaching or suggestion of a bifurcated graft as indicated in applicant's invention. Furthermore, containment capsule 18 consists of two interconnecting tubular portions 88 and 89, which are threaded together for containing the graft within the capsule. Tubular portions 88 and 89 are utilized for easily loading the graft into the containment capsule. However, once loaded, the tubular portions are interconnected for insertion into the vessel of a patient. Applicant's main and first container means are separated from each other for containing two different spring assemblies in a compressed state. In view of the above, applicant submits that claims 1 and 4, as amended herein, and claims 2 and 3 are not identically disclosed by the Lazarus reference, and it is requested that the rejection of these claims under 35 U.S.C. § 102(e) as being anticipated by the Lazarus reference, be withdrawn.

The Hillstead reference is directed to a stent and a system and method of delivering the stent. The Hillstead reference discloses a wire 40 for securing stent 12 to delivery catheter 10. The wire is routed out an opening in the delivery catheter and looped over a portion of the stent and then back inside the delivery catheter. This is done at both ends of the stent to secure the stent to the delivery catheter. However, applicant's invention is directed to a transluminal arrangement involving a bifurcated graft in which a retainer is positioned

within the main and first bores of the bifurcated graft and includes attachment means for temporarily attaching the main spring assembly of the bifurcated graft to the retainer means when the prosthesis assembly is being positioned in a bifurcated lumen. Clearly, the combination of the Hillstead reference with the Lazarus reference does not teach or even suggest a transluminal arrangement for positioning a bifurcated endovascular graft in a bifurcated lumen, as claimed in claims 7-9, as amended herein, and claims 5 and 6. In view of the above, it is requested that the rejection of these claims under 35 U.S.C. § 103 as being unpatentable over the Lazarus reference in view of the Hillstead reference, be withdrawn.

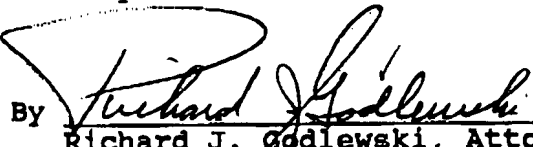
In view of the aforementioned amendments, applicant further requests that the objection to claims 16, 17 and 20, as amended herein, and claim 18 be withdrawn.

The reexamination and reconsideration of this application is respectfully requested, and it is further requested that the application be passed to issue.

Although the foregoing discussion is believed to be dispositive of the issues in this case, applicant's attorney requests a telephone interview with the Examiner to further discuss any unresolved issues remaining after the Examiner's consideration of this amendment.

Respectfully submitted,

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